

United States Courts
Southern District of Texas
FILED

JAN - 2 2025

Nathan Ochsner, Clerk of Court

Nathan Ochsner
Clerk of Court
P. O. Box 61010
Houston, TX 77208

Date: Dec. 13, 2024
Via USPS Mail

Burke v. PHH Mortgage Corporation (4:24-cv-00897)
Reassigned to: Judge Eskridge/Magistrate Judge Bryan
District Court, S.D. Texas

Dear Sir or Madam,

RE: JOANNA BURKE'S FILINGS IN THIS CASE

I am writing to follow up on two separate USPS Express Mail deliveries of my legal pleadings, which have yet to be properly docketed in my case. Below, I provide the details of each package, as well as the corresponding concerns.

USPS EXPRESS DELIVERY #1

On November 15, 2024, I received confirmation from USPS that my package was delivered, containing legal pleadings with a cover letter detailing the contents therein. The tracking number for this package is 9481730109355000137813. The package was signed by H. Lerma at the postal facility in Houston, TX, at 9:06 am.

As the Court signed the package upon delivery, I respectfully submit that it is the Court's responsibility to locate and investigate why the contents of this package have not been docketed.

I trust the Court can internally investigate the whereabouts of the package and ensure that my pleadings are properly added to the docket without further delay.

USPS EXPRESS DELIVERY #2

The second package, containing additional pleadings, was delivered on November 21, 2024. I received confirmation from USPS that the item was picked up at the same facility in Houston, TX, at 9:47 am, signed for by B. Lacey, with tracking number

9481730109355000162426. This package contained the following documents, which were docketed:

Doc. 43: Nov 21, 2024

PLAINTIFF'S REPLY to 42 Response in Opposition to Motion, filed by Joanna Burke. (cng4) (Entered: 11/21/2024)

Doc. 43: Nov 21, 2024

SURREPLY to 27 MOTION for Summary Judgment, filed by Joanna Burke. (cng4) (Entered: 11/21/2024)

Doc. 45: Dec 5, 2024

Leave to File Document

Attachment 1: Proposed Order

However, I would like to raise the following concerns:

Separation of Documents: I am concerned that the contents of USPS Express Package #2, which included a cover letter detailing all enclosed pleadings, became separated. Specifically, Doc. 45, the "Leave to File" document with the proposed order, was detached from the other filings and did not appear on the docket until December 5, 2024—14 days after delivery. This separation occurred despite my clear labeling and submission of all documents together in one package.

Delays in Docketing: The time it took for Doc. 45 to be added to the docket (14 days) is of significant concern, as timely docketing is crucial for the progression of my case. What is particularly noteworthy is that, in this instance, part of the documents was located and docketed without my intervention, which raises the question of why Melissa Morgan-Faircloth for the court deems it necessary to email me about a delivered package, which is the responsibility of the court.

Previous Correspondence: I also wish to note that, in the past, I have experienced delays with USPS delivery, including a significant delay in September 2024, which affected my ability to submit pleadings. In that case, my email to Case Manager Janelle Gonzalez went unanswered, and my arguments were not considered when orders were

issued. This is why I have chosen to use USPS Express Mail to ensure timely delivery and a receipt signature for future filings.

Furthermore, I am aware that this Court accepts only mail submissions for pro se litigants. In accordance with the Southern District's guidelines, I will continue to communicate via USPS mail. See:

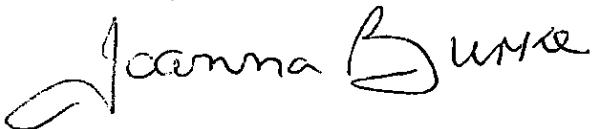
*"Ordinarily, all non-attorney pro se litigants must deliver or mail filings to the Clerk's Office, as detailed in the Southern District of Texas' Guidelines for Litigants Without Lawyers." Bisgaard v. Bitgood, Civil Action 4:22-CV-03279, at *17 n.6 (S.D. Tex. Aug. 14, 2024).*

CONCLUSION

I kindly request that the Court confirm the location of the documents from Package #1 and that all pleadings are properly docketed. Additionally, I would appreciate clarification on the issues related to the delayed docketing of Doc. 45.

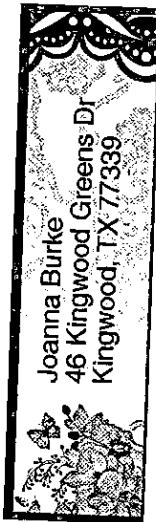
Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,



Joanna Burke

46 Kingwood Greens Dr.,
Kingwood, TX, 77339



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SHIP
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